

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1-8 remain pending, wherein claims 1-4, 6 and 7 have been amended. Claims 1-3, 6 and 7 have been amended to place these claims in U.S. claim format, and it is respectfully submitted that these are not limiting amendments.

Claims 1-3 and 5 are rejected under 35 U.S.C. § 103(a) as being obvious in view of the combination of U.S. Patent No. 6,313,886 to Sugiyama ("Sugiyama") and U.S. Patent No. 6,483,547 to Eyer ("Eyer"). This ground of rejection is respectfully traversed.

The combination of Sugiyama and Eyer does not render Applicants' claim 1 obvious because the combination does not disclose or suggest all of the elements of claim 1. For instance, the combination does not disclose or suggest that the control unit, when trying to select a channel based on a channel upward/downward changing instruction uses "a first technique, by which when there is no channel information in the memory, the frequency is shifted to search for a desired physical channel to thereby select a channel contained in a detected physical channel and also store information of the channel in the channel map," as recited in claim 1. Furthermore, one of ordinary skill in the art would not have been motivated to combine Sugiyama and Eyer in the manner described in the Office Action.

Sugiyama discloses a system for tuning to television channels that transmit either program and system information protocol (PSIP) transport streams or non-PSIP transport streams. As recognized by the Office Action, Sugiyama does not disclose or suggest the first technique recited in Applicants' claim 1.

The Office Action relies upon Eyer to remedy the above-identified deficiency of Sugiyama. Eyer discloses a system for transmission of a signal identification for analog television broadcasts. The Office Action cites column 7, lines 23-27 and 34-38 of Eyer as disclosing the first technique recited in Applicants' claim 1. This section of Eyer discloses a learning algorithm where the receiver steps through each television frequency band to note values of transport stream identifiers. This learning algorithm can be invoked by the user or performed automatically when the television is turned off. Once the relationship between the transport stream identifiers and the frequencies are determined using the learning algorithm, navigation is performed based on the transport stream identifiers.

Eyer, however, does not disclose or suggest that this learning algorithm is performed by a control unit "when trying to select a channel based on a channel upward/downward changing instruction." Accordingly, Eyer cannot disclose or suggest that the first technique is performed when on a channel selection changing instruction is sent from an input device.

Moreover, it is respectfully submitted that one of ordinary skill in the art would not have been motivated to combine Sugiyama and Eyer in the manner proposed by the Office Action. If, as proposed by the Office Action, Sugiyama were modified such that the learning algorithm of Eyer were performed when a channel changing command is received, it would take quite a long time to tune to the desired channel, as the receiver would have to scan every single 6 MHz television frequency band. This long tuning time due to the scanning of every single 6 MHz frequency band each time a channel changing command is received would frustrate users of the receivers, and therefore, one of ordinary skill in the art would not have been motivated to modify Sugiyama in a manner that would frustrate users of the receivers.

Because the combination of Sugiyama and Eyer does not disclose or suggest all of the elements of Applicants' claim 1 and because one of ordinary skill in the art would not have been motivated to combine Sugiyama and Eyer in the manner described in the Office Action, the combination of Sugiyama and Eyer cannot render claim 1 obvious.

Claim 5 is patentably distinguishable over the combination of Sugiyama and Eyer at least by virtue of its dependency from independent claim 1.

Claims 2 and 3 recite similar elements to those discussed above with regard to claim 1, and accordingly, is patentably distinguishable over the combination of Sugiyama and Eyer for similar reasons to those discussed above

with regard to claim 1.

For at least those reasons stated above, it is respectfully requested that the rejection of claims 1-3 and 5 be withdrawn.

Claims 4 and 6-8 are rejected under 35 U.S.C. § 103(a) as being obvious in view of the combination of Sugiyama and U.S. Patent No. 6,490,001 to Shintani et al. ("Shintani"). This ground of rejection is respectfully traversed.

The combination of Sugiyama and Shintani does not render Applicants' claim 4 unpatentable because the combination does not disclose or suggest that "the control unit, when trying to select a channel based on a channel upward/downward changing instruction sent from the input device, selectively uses one of a plurality of channel information obtaining and channel selecting techniques based on the contents of the channel map of the channel upward/downward changing destination held in the memory and also stores the channel information in the channel map."

The Office Action acknowledges that Sugiyama does not disclose or suggest this element of claim 4, but instead relies upon column 11, lines 55-60 of Shintani. Shintani is directed to a system for reducing a delay between tuning to and reception of a digital television broadcast. The section of Shintani cited by the Office Action discloses that when a marker bit for a selected channel does not designate it as a digital television channel (No path out of step S105), marker

bits for each subsequent channel are obtained until a marker bit designating a digital channel is found (Yes path out of decision step S109). The section of Shintani cited by the Office Action, however, does not disclose that *one of a plurality* of channel information obtaining and channel selecting techniques are selectively employed based on the contents of the channel map.

Because the combination of Sugiyama and Shintani does not disclose or suggest all of the elements of Applicants' claim 4, the combination cannot render this claim obvious.

The combination of Sugiyama and Shintani does not render claims 6 and 7 obvious because the combination does not disclose or suggest that "the control unit, when trying to select a channel based on a channel upward/downward changing instruction sent from the input device, selects a desired channel by selectively using" any one a number of procedures."

To reject Applicants' claims 6 and 7 the Office Action cites to column 11, lines 36,37 and 55-60 of Shintani. These sections, however, do not disclose or suggest selectively using any one of the number of procedures recited in Applicants' claims 6 and 7. Accordingly, the combination of Sugiyama and Shintani does not render claims 6 and 7 obvious.

Claim 8 is patentably distinguishable over the combination of Sugiyama and Shintani at least by virtue of its dependency from claim 6.


For at least those reasons set forth above, it is respectfully requested that the rejection of claims 4 and 6-8 be withdrawn.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #010482.50895).

Respectfully submitted,

July 6, 2006


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